

Julia B. Strickland  
 213 439 9485  
 jstrickland@steptoe.com

633 West Fifth Street, Suite 1900  
 Los Angeles, CA 90071  
 213 439 9400 main  
 www.steptoe.com

**Steptoe**

October 2, 2024

**By ECF**

Hon. J. Paul Oetken  
 United States District Court  
 Southern District of New York  
 40 Foley Square  
 New York, New York 10007

**Re: *People of the State of New York v. Citibank N.A., 24 Civ. 0659 — Notice of Supplemental Authority***

Dear Judge Oetken:

Our firm represents defendant Citibank N.A. (“Citibank”) in this proceeding.

In anticipation of next week’s oral argument on Citibank’s motion to dismiss, I write to notify the Court of two decisions, both issued after the motion to dismiss briefing was complete, concluding that wire transfers fall outside of the Electronic Fund Transfer Act’s scope. *See Nazimuddin v. Wells Fargo Bank N.A.*, No. 4:23-CV-04717, 2024 WL 3431347, at \*2 (S.D. Tex. June 24, 2024), *report and recommendation adopted sub nom.*, No. 4:23-CV-04717, 2024 WL 3559597 (S.D. Tex. July 25, 2024) (“Because Regulation E excludes ‘[w]ire or other similar transfers’ from the definition of ‘electronic fund transfer,’ the EFTA does not apply to the wire transfers of which Plaintiff complains in this case. . . .”); *Bakhtiari v. Comerica Bank, Inc.*, No. 24-00273 WHA, 2024 WL 3405340, at \*1 (N.D. Cal. July 12, 2024) (“Plaintiffs pursue a claim under the Electronic Fund Transfer Act, which expressly excludes any transfer of funds through a ‘wire transfer system that is used primarily for transfers between financial institutions or between businesses.’ . . . [T]he wire transfers in question are not covered under EFTA.”).

Respectfully,

/s/ *Julia B. Strickland*

Julia B. Strickland

cc: All Counsel of Record (via ECF)